

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CLUB TEXTING, INC., on behalf of itself and all others similarly situated,

Case No. 12 CV 2656 (AJN)(MHD)

Plaintiff,

v.

CELLCO PARTNERSHIP d/b/a/ VERIZON WIRELESS, AT&T MOBILITY LLC, SPRINT NEXTEL CORPORATION, T-MOBILE USA, INC., U.S. CELLULAR CORPORATION, CTIA – THE WIRELESS ASSOCIATION, CLEARSKY MOBILE MEDIA, INC., ERICSSON IPX, MBLOX INCORPORATED, SYBASE, INC., SOUNDBITE COMMUNICATIONS, INC., SYNIVERSE TECHNOLOGIES, INC., UPOC NETWORKS, INC., VIBES MEDIA, 3CINTERACTIVE, L.L.C., and WMC GLOBAL, INC.,

Defendants.

**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF DEFENDANT
CLEARSKY MOBILE MEDIA, INC. N/K/A CLEARSKY TECHNOLOGIES, INC.**

Plaintiff Club Texting, Inc., pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, hereby gives notice of the dismissal without prejudice of defendant ClearSky Mobile Media, Inc., n/k/a ClearSky Technologies, Inc. from the above-captioned action, the parties to bear their own fees and costs.

Dated: May 29, 2012

Respectfully submitted,

KAPLAN FOX & KILSHEIMER LLP

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Counsel for Plaintiff Club Texting, Inc.

CERTIFICATE OF SERVICE

I, Elana Katcher, declare that, on May 29, 2012, I caused a true and correct copy of the foregoing Notice of Voluntary Dismissal Without Prejudice of Defendant Clearsky Mobile Media, Inc. n/k/a Clearsky Technologies, Inc. to be delivered to all counsel of record via the Court's ECF system.

/s/ Elana Katcher

Elana Katcher